

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Edgar Searcy,	)	C/A No.: 6:07-cv-0154-GRA-WMC
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	(Written Opinion)
B. Broome, Chaplain; M. Hamidullah,	)	
Former Warden; U.S. Attorney General;	)	
Bureau of Prisons; and United States	)	
of America,	)	
	)	
Defendants.	)	
	)	

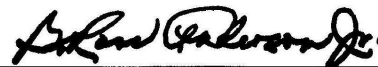
This matter comes before the Court on the Plaintiff's Motion for Sanctions. Plaintiff brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982).

Plaintiff argues that the defendant should be sanctioned for: providing false information in an affidavit in support of summary judgment and filing a frivolous motion in opposition to the plaintiff's prior request for an extension. Defendants argue that the plaintiff's allegations do not constitute a basis for sanctions. This Court agrees with the defendants.

The plaintiff's allegations are dubious. First, this is the first time that the plaintiff has disputed any factual issue. He did not object to any of the facts that the magistrate's relied on in the Report and Recommendation, neither did he dispute any of the facts the defendants articulated in their motion for summary judgment. Second, it appears to the Court that the defendants' motion that the plaintiff describes as frivolous had significant merit. The defendants objected to the plaintiff's proposed extension because the plaintiff sought an indefinite and unending extension of time in which to file his objections to the Report and Recommendation. Further, the defendants succeeded on their objection. This Court finds that, even under the most liberal construction of the plaintiff's pleading, the plaintiff's allegations are too tenuous to support his motion for sanctions.

IT IS THEREFORE SO ORDERED THAT the plaintiff's motion for sanctions be DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

December 14, 2007  
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

Pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, Plaintiff has the right to appeal this Order within sixty (60) days from the date of its entry. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, **will waive the right to appeal.**